



**Legal Services Corporation
Office of Program Performance**

**Final Program Quality Visit Report
for
Legal Aid Services of Oklahoma, Inc.
Recipient # 737066**

April 29 – May 3, 2013

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TABLE OF CONTENTS

INTRODUCTION	1
Background on the Visit.....	1
Program Overview.....	1
SUMMARY OF FINDINGS	3
DISCUSSION OF FINDINGS	6
PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.....	6
Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs.....	6
Criteria 2 and 3. Setting goals and objectives, developing strategies and allocating resources; Implementation.....	7
Criterion 4. Evaluation and Adjustment	8
PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.....	9
Criterion 1. Dignity and Sensitivity.....	9
Criteria 2 and 3. Engagement with, and access and utilization by the low-income population.	14
PERFORMANCE AREA THREE. Effectiveness of legal representation and other firm activities intended to benefit the low-income population in the service area.	16
Criterion 1. Legal representation.	16
Criterion 2. Private attorney involvement.....	20
Criteria 3 and 4: Other services to and on behalf of the eligible client population.	21
PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.....	22
Criterion 1. Board governance.	22
Criteria 2 and 3. Leadership, Management and Administration.....	23
Criterion 4. Financial administration.	26
Criterion 5. Human resources administration.	26
Criterion 6. Internal Communications.	27
Criterion 7. General resource development and maintenance.....	28
Criterion 8. Coherent and comprehensive delivery structure.....	28
Criterion 9. Participation in an integrated legal services delivery system	28

INTRODUCTION

Background on the Visit.

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to *Legal Aid Services of Oklahoma, Inc. (LASO)* between April 29 and May 3, 2013. The team included Program Counsel from the Office of Program Performance Stephanie Edelstein, Nancy Glickman, Cheryl Nolan and Evora Thomas (team leader¹); and, Mary Bauer, Douglas German and Andrew Scherer, Temporary Employees ("the team").

Program quality visits are designed to ensure that LSC programs are providing the highest quality legal services to eligible clients. The evaluation examines the effectiveness of legal assistance and representation provided to eligible clients, including a program's engagement with the low-income community and the efficiency of its leadership, management, and administration.

In conducting this evaluation, OPP relied on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation is organized consistent with the four Performance Areas of the LSC Performance Criteria, which cover needs assessment and priority setting; engagement with the low-income community; legal work management and delivery; and program management including board governance, leadership, administration, resource development, and coordination within the delivery system.

The team reviewed documents and information that LSC receives from the program in the routine course of business, such as grant application information, case service reports (CSRs), and other service reports (OSRs). The team also reviewed documents and information the program submitted in advance of the visit, including advocates' writing samples and an on-line survey of *LASO* staff. On site, the team visited six of the program's law offices² and interviewed staff from all of the *LASO* offices. The team interviewed advocates, managers, administrative personnel, the executive team, and support staff. In addition to speaking to most of the *LASO* staff members, the team met with – or interviewed by phone – a sample of board members, judges, and representatives of local agencies and community organizations.

Program Overview.

LASO was formed in 2002, following the merger of two former LSC grant recipients, *Legal Services of Eastern Oklahoma* and *Legal Aid of Western Oklahoma*. Its service area encompasses the entire state of Oklahoma, which includes 77 counties. There are only two major urban centers, Tulsa and Oklahoma City; otherwise, the state is sparsely populated. Oklahoma is roughly 80% Caucasian, and is home to the second largest Native American population in the United States. There are 490,991 individuals over the age of 65 years living in Oklahoma, including 9.3% that are living below the poverty level. According to estimates in the *American Communities Survey (ACS)*,³ there are 612,305 persons living below the poverty level in Oklahoma, representing approximately 16.8% of the state's total population. The *LASO* service area serves a poverty population of 521,502 persons⁴. More than 50 languages are spoken in the state of Oklahoma. There are 55 different Native American tribes, including

¹ Due to a family emergency, the team leader did not participate in the onsite portion of the assessment.

² Law offices in Oklahoma City, Tulsa, Hugo, Norman, Muskogee and Lawton were visited by the PQV team.

³ U.S. Census Bureau, *American Community Survey (ACS) 2011: 3 Year Estimates*.

⁴ The remaining poverty population is served by Oklahoma Indian Legal Services, another LSC grantee that provides legal assistance to Native Americans living in Oklahoma with legal problems associated with their ethnic status.

“the Five Civilized Tribes,”⁵ and each of these has its own distinct language or dialect. Immigrants from Southeast Asia have settled in the urban centers.

LASO views itself as a law firm⁶ and has generally maintained a reputation for being a solid legal services provider that is central to the civil legal justice system in Oklahoma. However, it encountered some performance fluctuations in recent years. In 2011, the number of closed cases dropped dramatically as a result of structural changes in the intake system. Adjustments were introduced in 2012, and the number of closed cases began to increase. Also in 2011, the former executive director resigned abruptly. Following a national search by the board of directors, in 2012 *LASO* hired a new executive director with extensive legal services experience, including substantial prior leadership experience with a non-LSC funded program.

LASO provides a full range of legal services to the low-income residents of Oklahoma. *LASO* operates a combined service delivery model that primarily utilizes staff for direct services in both urban and rural “law offices” and smaller “satellite offices,” supplemented by *pro bono* legal services from the private bar. Satellite offices are managed by the regional law offices. The firm strives to avoid duplication of services to clients by coordinating with *Oklahoma Indian Legal Services (OILS)*, the statewide LSC-funded organization that provides legal assistance to Native Americans residing in Oklahoma. *OILS*’ attorneys have specialized, substantive expertise in the area of Indian law and handle cases that arise as a result of the client’s status as a Native American. *LASO* provides legal services to this same population on other legal issues that fall within the firm’s priorities.

LASO recently adopted a new model for the management of legal work that connects advocates in the firm through four statewide advocacy groups that handle legal issues involving domestic relations (family), housing, public benefits, and consumer law. Attorneys chairing the groups are responsible for developing the advocacy skills of the firm in each of their respective areas of specialization.

LASO has engaged in aggressive fundraising that minimized the impact of declining revenues from LSC during the past three years. In 2012 the firm received total LSC funding in the amount of \$4,279,986, an amount that equaled a 14.6% reduction from the previous year.⁷ During the same period, *LASO* increased non-LSC funding by \$966,561, offsetting its LSC losses. For 2012, LSC funding represented 38.6% of total funding. After accounting for the census adjustment⁸, for 2013, *LASO* was awarded a basic field grant from LSC of \$4,058,535 to serve the general poverty population and \$57,738 for the migrant service area totaling \$4,116,273, a 3.8% decrease in LSC funding from 2012 funding. *LASO* has taken measures to increase its resource development capacity and outcomes.

⁵ This historical reference pertains to the Creeks, the Chickasaw, the Choctaw, the Cherokee and the Seminole Indian Tribes. The Five Civilized Tribes were the five Native American nations that were considered civilized by Anglo-European settlers during the colonial and early federal period because they adopted many of the colonists’ customs and had generally good relations with their neighbors. The tribes were relocated from their homes east of the Mississippi River over several decades during the series of removals known as the Trail of Tears, authorized by federal legislation. They moved to what was then called Indian Territory, now the eastern portion of the state of Oklahoma. Once the tribes had been relocated to Indian Territory, the United States government promised that their lands would be free of white settlement. Some settlers violated that with impunity, even before 1893, when the government opened the “Cherokee Strip” to outside settlement in the Oklahoma Land Run. In 1907, the Oklahoma Territory and the Indian Territory were merged to form the state of Oklahoma.

⁶ Throughout this report *LASO* is referred to as a firm in acknowledgement of its own characterization as such.

⁷ In 2011, *LASO* received \$5,015,203 in total grant awards from LSC; and, \$5,322,990 in non-LSC funding.

⁸ Pursuant to the 2013 LSC Appropriation, P.L. 112-74, funding allocations are based upon each service area’s share of the national poverty population as determined by the Census Bureau. Reallocations, or “census adjustments” based on changes in the geographic distribution of the poverty population were phased in beginning with 2013.

Subsequent to the PQV, on Monday, May 20th a large tornado moved through the south Oklahoma City suburb of Moore, causing widespread property damage and loss of life. As soon as it was feasible to do so, *LASO* initiated efforts to coordinate with organized disaster relief partners, including the American Red Cross, Federal Emergency Management Administration (FEMA) and the American Bar Association (ABA) Young Lawyers Division's initiative, "Disaster Legal Services" (DLS). *LASO* also conferred with other LSC grantees that have prior experience with disaster relief efforts, including the staff of *Lone Star Legal Aid* (2005 Hurricanes Katrina/Rita and 2008 Hurricane Ike) and *Legal Aid of Western Missouri* (2011 Joplin Tornado). In conjunction with these national partners and the Oklahoma Bar Association (OBA), they established a tornado relief hotline, a *pro bono* disaster volunteer program and posted Oklahoma specific information to the national disaster legal aid website; compiled a list of disaster resources on their website; and created legal forms and self-help resources to guide victims needing legal assistance. *LASO* poised itself to assist victims apply for emergency benefits; to replace important legal documents needed to apply for disaster benefits such as personal identification cards, personal property titles, orders of protection and end-of-life documents; and to obtain emergency child custody, visitation, support and other court orders requiring modification as a result of tornado-related displacement, injury, or job loss.⁹

SUMMARY OF FINDINGS

- *LASO* conducted a comprehensive needs assessment in 2007 and recognizes that acquiring more timely data is warranted. The information acquired by the study was vetted by *LASO* staff at its annual statewide conference in October 2007, and, thereafter, by a committee of the board of directors prior to developing a draft priority statement for adoption by the full board. There is no formal and/or systematic process to determine legal needs currently at *LASO*.
- *LASO* adopted priorities for the firm in 2008 that continued to be in effect at the time of the program quality visit. Information provided by *LASO* during the visit demonstrated that interpretation and implementation of priorities vary, resulting in confusion regarding case acceptance.
- *LASO* has previously adopted, but no longer adheres to the goals and objectives of its strategic plan. The plan was revised in 2010. Current *LASO* leadership reports that, for the most part, the strategic plan was not implemented. The strategic plan is considered outdated and not aligned with present operations and anticipated changes. Sooner rather than later, the board and staff will need a clear articulation of what is underway and what is planned, with respect to priorities and other components of the strategic plan, including legal work supervision and management, goals of the legal work,

⁹ As the recovery effort turns to rebuilding, *LASO* plans to help clients to:

- Appeal wrongful denials of FEMA benefits and private tornado-related home, life, and medical insurance claims;
- Negotiate with landlords, homeowner associations, and insurance companies to make repairs to or provide fair compensation for damaged property;
- Negotiate rent and mortgage modifications during repair or condemnation periods;
- Fight unlawful tornado-related evictions and foreclosures;
- File for bankruptcy to promote family stability and protect homesteads in the face of a tornado-related home or job loss;
- Combat tornado-related consumer fraud, including price gouging, sham charities, and unlicensed construction contractors;
- Petition for alternate schooling arrangements for displaced and traumatized children; and
- Apply for important tornado-related tax breaks, like casualty loss deductions and filing extensions.

technology, intake, and other important aspects of legal services delivery and administration that are currently in a state of transition.

- *LASO* does not have a mechanism for measuring the effectiveness of its legal services delivery or the impact and benefits of its services for clients.
- *LASO* has a firm-wide, centralized intake system, the *AppLine*, that is the primary portal for telephone intake. However, *LASO* is not maximizing the benefits it could from a centralized intake system and its return on investment is low. The current configuration is limited to performing basic eligibility screening for the branch offices and forwarding new, eligible applications to those offices. The general consensus among staff is that the intake system as it is currently structured, does not work. *LASO* does not have a formal mechanism in place to evaluate the effectiveness of its intake system in a comprehensive manner as it relates to overall firm needs and the needs of applicants.
- The system for referral of intake to branch offices for case acceptance and legal assistance is cumbersome and confusing to staff. It appears that there is no consistent, firm-wide policy regarding how to handle rejection of applicants and cases. Case acceptance criteria is articulated in a two tier system developed by the branch office managing attorneys based on each branch's preference for seeing all applications (Tier 1) or for seeing only applications related to the priorities (Tier 2). The tier system is not an effective referral mechanism.
- *LASO* strives to ensure that offices and staffing are accessible to clients and offer special accommodations, including language, when needed. *LASO* uses technology to provide access to its resources for clients, volunteers and the general public. *LASO* is strategically exploring outreach to targeted populations; and, they are exploring new strategies to communicate their availability to do this work, including through the courts.
- *LASO* has committed to expanding its capacity to provide a full range of services and engage in more strategic and impactful advocacy. *LASO* has undertaken a number of initiatives to increase its legal work capacity. The firm has: created advocacy teams; created a director of advocacy position; expanded training opportunities for advocates; and, by bringing an experienced subject matter expert to *LASO* to provide training. The firm is also seeking new grants to support services. *LASO* is reorganizing and developing a new system for the management and supervision of its legal work. Some staff attorneys were not clear about lines of reporting and supervision under this new structure. *LASO* employs a variety of strategies to supervise the legal work of the firm at the local level, although in some instances the strategies have not been sufficient to promote high quality legal work.
- *LASO* has a dedicated and committed staff that provides access to the justice system in traditional poverty law areas. However, *LASO*'s legal work generally is routine in nature and lacks strategic direction. *LASO* has experienced a precipitous drop in its closed LSC case statistics. *LASO* has introduced new projects to address targeted legal needs.
- *LASO* has failed to identify the needs of the farmworker population in Oklahoma and is thus unable to take effective steps to target resources to address those needs. *LASO*'s "migrant" caseload is not appropriately characterized as migrant legal work.
- The *LASO* PAI plan describes models used to involve private attorneys, and the firm's work reflects its plan. *LASO* provides private attorneys with a variety of *pro bono* opportunities to serve clients, although Oklahoma does not have some of the institutional support for *pro bono* that exists in many other states.

- *LASO* is engaged in various other services and activities to and on behalf of the client eligible population, including: volunteer attorney recruitment by *LASO* to assist *pro se* litigants in forcible entry and detainer cases; medical legal partnerships; law student volunteer program; and community outreach and education. *LASO* is an active contributor to the statewide website.
- *LASO*'s board of directors is very active, dedicated, involved and concerned about extending the firm's effectiveness. The board executes its fiduciary responsibilities, including financial oversight, through appropriate assignments of work to officers and committees, robust meetings and exchange of information with *LASO* management and staff. The executive director meets with the client board members before each quarterly meeting to discuss the agenda and answer questions. The board, however, needs to recruit an additional client member in order to be in compliance with LSC regulations. The board's annual review of the executive director's performance is now due.
- *LASO* has cultivated effective new leadership that is recognized for promoting excellence, innovation and achievement, although the vision and mission are not entirely clear. Efforts are underway to improve the management structure at *LASO* and some confusion exists among staff regarding firm structure and management organization.
- The technology infrastructure for *LASO* is inadequate to support the goals of the firm; and sub-par when compared to best practices and the needs of a current legal aid law firm.
- *LASO* appears to have processes and systems in place to address compliance with funder requirements as well as to guide and oversee the day-to-day operations of the firm. *LASO* has not updated its Accounting Policy Manual since LSC adopted the 2010 Accounting Guide.
- *LASO* is pursuing new strategies to address concerns with effectiveness in the administration of human resources. "Low salaries" is a significant issue that contributes to high turnover and low morale. Some staff members are concerned whether they can continue to work for the firm without an additional salary increase. The strategy employed by the executive director to systematically evaluate offices and staff while also developing workplans is a good way for management to get a handle on the quality of the work and to build toward a system of regular and meaningful evaluations. Although significantly improved over the last year, the level of effective communications at *LASO* is inconsistent.
- *LASO* has established a five person resource development team with considerable expertise and experience.
- *LASO* plays an integral role in promoting and providing equal access to justice in meeting the civil legal needs of low income clients throughout Oklahoma.

DISCUSSION OF FINDINGS and RECOMMENDATIONS

PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.

Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs.

FINDING 1: *LASO* conducted a comprehensive needs assessment in 2007 and recognizes that acquiring more timely data is warranted.

LASO began an appraisal of compelling legal needs process in the fall of 2006, completing its most recent comprehensive needs assessment in 2007. Fifty-one informant interviews were conducted by the consultant retained to conduct the appraisal. According to *LASO*, the study,

“ . . . included a ‘community scan,’ capsulizing key demographics and social conditions for Oklahoma and *LASO*’s eleven service areas; a survey collecting and tabulating ideas and opinions from a wide variety of interested Oklahomans; a series of town hall meetings which provided the opportunity for citizen input; and numerous individual interviews securing detailed input.”¹⁰

The information acquired by the study was vetted by *LASO* staff at its annual statewide conference in October 2007, and, thereafter, by a committee of the board of directors prior to developing a draft priority statement for adoption by the full board in December 2007. The firm contemplated conducting another legal needs appraisal no later than five years hence.

Notwithstanding its annual review of priorities, described below in Finding 2, there is no formal and/or systematic process to determine legal needs currently at *LASO*. The firm intends to initiate a new assessment but is concerned that the public is not aware of the full range of services the firm could provide and wants to market available services more broadly before conducting a new assessment. In the opinion of firm leadership, it is appropriate to hold off on a needs assessment until the reputation of the firm for breadth of services and aggressive advocacy can be enhanced. The firm is expanding its engagement with community groups throughout the state that are potential partners in assessing client need. However, cost is also a factor. There is a prospect for future collaboration on legal needs assessment with the Access to Justice Commission that will be revitalized with support from an American Bar Association (ABA) grant to the Oklahoma Supreme Court.

***RECOMMENDATIONS:*¹¹**

¹⁰ From, Letter January 14, 2008 to Danilo A. Cardona, Director, OCE from Gary Taylor, Executive Director, *LASO* regarding Establishment of Priorities – 2007.

¹¹ Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the Recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., Recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third Recommendation under finding 14. There are two tiers (levels) of Recommendations in this report. Recommendations marked with an asterisk (*) are Tier One Recommendations and are intended to have a direct and major impact on program quality and/or program performance. In your next grant renewal application or competitive grant application, your program will be required to report what it has done in response to Tier One Recommendations instead of submitting a full narrative.

1.1.1.1.* LASO should undertake a comprehensive needs assessment as soon as practicable and if possible in conjunction with the soon to be reinvigorated Access to Justice Commission.

Criteria 2 and 3. Setting goals and objectives, developing strategies and allocating resources; Implementation.

FINDING 2: LASO adopted priorities for the firm in 2008 that continued to be in effect at the time of the program quality visit.

LASO adopted a set of priorities for delivery of legal services consistent with the findings of its last legal needs assessment and, for the most part, is operating with the same priorities identified in that needs assessment. These priorities are reviewed and re-adopted annually by the board of directors based upon the recommendations of the executive director and the board's Long Range Planning and Priorities Committee. The board last reviewed priorities on December 13, 2012 and considered the extent to which the goals of *LASO* priorities are accomplished; changes in *LASO* resources; change in size, distribution or needs of the eligible client population; and, volume of non-priority emergency cases. The board concluded that there were no factors to cause the *LASO* priorities to change at that time.

The current priorities are: (1) improving the client community's access to justice; (2) preserving housing and building stronger communities; (3) protecting consumers; (4) promoting health and economic security; (5) ensuring safety and stability for clients and their families; and (6) addressing the needs of populations with special vulnerabilities. Where a grant sought and received by *LASO* requires additional services not prohibited by law, *LASO* will provide those.

LASO has directed the law offices to allocate sufficient staff time to provide assistance in designated "high priority" cases. Secondary priority cases may be handled if resources become available or in urgent situations. For example, denial of public benefits is a high priority case in the health and economic security category, while "drivers license suspensions when required for employment" is a secondary priority. In addition to *LASO* ranking priorities, managing attorneys in each of the law offices are allowed to select which priorities the intake unit can refer to their respective offices to be considered for case acceptance, based on a "tier system." It does not appear that the system is well understood or adhered to uniformly. Information provided by *LASO* during the visit demonstrated that interpretation and implementation of priorities vary, resulting in confusion regarding case acceptance. For example, in some instances, secondary tier family cases are being handled while high tier housing cases are not. Also, knowledge of the board-adopted priorities varies among staff, ranging from those having a copy of the adopted priorities in their workspace to others who simply have a vague understanding of the priorities.

LASO has addressed some emerging needs consistent with its priorities such as mortgage foreclosures. The capacity of *LASO* advocates to respond to this need and develop an effective mortgage foreclosure practice requires extensive outreach and internal training

Finding 3: LASO has previously adopted, but no longer adheres to the goals and objectives of its strategic plan.

In 2007, *LASO* adopted a 5 year strategic plan for the period 2008 through 2012. It contained five specific goals: maximize human resources; enhance service delivery; develop and align financial resources; build systems and processes for organizational effectiveness; and, partner with the justice system. Clearly defined objectives, deadlines and persons accountable for completion of action steps to achieve the objectives within each goal were a part of the strategic plan. The plan was revised in 2010. Current *LASO* leadership reports that, for the most part, the strategic plan was not implemented. Consequently, *LASO* did not achieve a significant number of the goals and objectives that were set forth

in its strategic plan, nor was a mechanism provided to measure outcomes of those goals and objectives that were met. Moreover, the strategic plan is considered outdated and not aligned with present operations and anticipated changes. *LASO* leadership is aware that it needs to be updated but has not set a target for adoption of a new strategic plan.

As new grants and funding sources are being pursued there is a concern among some staff whether the services required by the new funding sources will be consistent with the needs of the client community and *LASO*'s current statement of priorities. They opine that these new grants are shifting the day-to-day work of the advocacy staff based on the "deliverables" required under the new grants. Notwithstanding this concern, it is generally recognized throughout the firm that *LASO* had been stagnating for years and that the changes underway currently are positive and needed. The new *LASO* executive director appears to have a clear vision of where he would like to take the firm and is moving in an organic way toward his goals for the firm. There is, however, lack of clarity except in the most general way, among all but the top level of management, of why particular changes are being made and what changes are yet to come.

There are quite a number of changes in the operations of the firm that are either underway or planned. Sooner rather than later, the board and staff will need a clear articulation of what is underway and what is planned, with respect to priorities and other components of the strategic plan, including legal work supervision and management, goals of the legal work, technology, intake, and other important aspects of legal services delivery and administration that are currently in a state of transition.

RECOMMENDATIONS:

1.2.2.1* Based on the needs assessed, LASO should determine priorities and develop strategies with goals and attendant outcome measurements that are routinely evaluated and adjusted for their effectiveness.

1.3.3.1 As soon as resources permit, LASO should engage in a forward thinking, "blank-slate," strategic planning process that articulates core values and questions and/or challenges the firm's service delivery systems so as to provide a roadmap for program development over the next five years.

Criterion 4. Evaluation and Adjustment

Finding 4: *LASO* does not have a mechanism for measuring the effectiveness of its legal services delivery or the impact and benefits of its services for clients.

At *LASO*, achievement of the goals and objectives expressed in the priorities and/or in the strategic plan is not systematically evaluated. There is no process for formal evaluation to compare outcomes achieved with outcomes intended. It does not appear that *LASO* sets or evaluates specific goals and outcomes beyond grant requirements. In fact, grant-specific "deliverables" are only monitored to assure compliance with funding requirements. *LASO* has experimented with the use of client satisfaction surveys to gather feedback on services. However, the content of client satisfaction survey forms is not consistent office to office; and, client surveys alone are not an adequate measure of the effectiveness of the firm's legal work since clients may not be in a position to assess whether the best possible outcomes have been achieved in their cases. A newly designed survey form is being tested and once it is finalized, use of a standard form will be established.

RECOMMENDATION:

1.4.4.1 LASO should assess its effectiveness by identifying and employing mechanisms to measure the outcomes and benefits of its efforts to deliver legal services to low-income clients and communities.

PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.

Criterion 1. Dignity and Sensitivity

Intake -

Finding 5: *LASO* has a firm-wide, centralized intake system, the *AppLine*, that is the primary portal for telephone intake. However, *LASO* is not maximizing the benefits it could from a centralized intake system and its return on investment is low.

In December 2010, *LASO* adopted a firm-wide model of centralized intake, the *AppLine*, housed within the Tulsa law office. The *AppLine* is the primary portal for telephone intake. However, there are problems related to the configuration of the telephone system that adversely impact the intake process. *LASO* has a mix of telephones and telephony capacity in its various offices throughout the firm. It was reported that the phone server power goes out frequently requiring the IT staff to contact the provider Platinum Technology Group to resolve issues with the system. When *AppLine* moved to the Tulsa location, *LASO* purchased an NEC telephone system with the capacity to handle the voicemail for the entire firm. The *AppLine* telephone system has two queues, one for English and the other for Spanish.

LASO has access to call management software that provides data on the volume of calls handled, abandoned, and on the average wait times and call duration. While on site, the *AppLine* managing attorney produced several of these reports.¹² Data showed that the average time held before calls were abandoned on the English line was 4 minutes, 41 seconds; and on the Spanish line it was 1 minute, 29 seconds. This is consistent with national norms. In 2012, only two callers were unable to get through on the English line and 25 calls on the Spanish line. The system does not have any Interactive Voice Response (IVR) features.¹³ For purposes of intake screening, the system does ask questions and the caller self-directs to appropriate hold queues where they hear music until their calls are handled. *AppLine* intake specialists answer calls with an Automatic Call Distribution (ACD) system where calls are answered from queue in the order received. The system's Primary Rate Interface (PRI)¹⁴ limits the number of calls in queue. There are 2 PRIs with 24 lines each in the Tulsa office. One is dedicated to the *AppLine* and the other is shared with Tulsa Law Office, giving the *AppLine* a total of 36 lines. As a result,

¹² The *AppLine* managing attorney is not authorized to run queries in *PRIME* that were not designed and included in the software package. Rather, requests must be directed to the firm's technology staff to develop special queries and run reports.

¹³ Interactive Voice Response (IVR) is a function that allows programs to provide general routine information using 24-hour recorded scripts. Available off hours and to clients waiting in queue, these scripts can provide general information on legal matters that are typically not handled in-depth. These scripts can also provide information that is menu-driven by the caller on legal issues that could be accessed off-hours. IVR functions also allow callers to receive mailings of selected pamphlets and brochures as needed.

¹⁴ Primary Rate Interface (PRI) is the level of service or capacity for carrying data, voice and other services; and, control and signaling information.

for example, if there are 6 screening specialists on calls with 30 callers in queue, the 37th caller will get a busy signal until one of the 36 lines gets released. How many calls are held in the queue will depend on how many screening specialists are available for calls. A newer system would allow the *AppLine* managing attorney to manipulate the system configuration, including the threshold number of calls allowed to be held in queue to meet current staffing levels and call volume. The information technology staff is investigating options for future upgrades. However, staff did not report problems with excessive call volumes, applicants walking in to offices to apply, or other similar symptoms of limited access. *AppLine* utilizes *PRIME*, the case management software, as its intake database. Online intake is not being used at this time. However, the program reported online intake is in its future plans.

The general understanding among staff is that the *AppLine* was created to make intake eligibility screening consistent throughout the firm. With some exceptions, that has happened. The *AppLine* has undergone several changes in structure and function. The current configuration is limited to performing basic eligibility screening for the branch offices¹⁵ and forwarding new, eligible applications to those offices. The former intake system included the provision of legal advice by staff and volunteer attorneys to eligible clients under the direct supervision of an attorney. Currently, the *AppLine* makes referrals to other agencies/organizations that can assist clients. *SPLASH*, the senior helpline, was recently added to the *AppLine* intake system, and also no longer provides advice.

AppLine is staffed by a managing attorney and 7.5 FTE screening specialists. The managing attorney is an experienced legal services lawyer and knowledgeable of the requirements of a high quality, efficient intake and advice system. However, the managing attorney is not part of the executive leadership team. Likewise, the *AppLine* screening staff is experienced in customer service and has some basic knowledge of the legal needs of applicants. New calls are accepted from 8:00am to 5:00pm. The *AppLine* work hours are staggered. From 7:30 a.m. until 8:00 a.m., the two screening specialists who arrive early, follow-up on out of state referrals and other intake matters. The two screeners on duty from 5:00pm to 6:00pm work on emptying calls left holding in the queue. Screeners obtain sufficient information to determine income and asset eligibility, along with citizenship, *LASO* priorities and non-exclusion as LSC restricted activities. Once referred to the appropriate branch office, notes compiled by the eligibility screeners are reviewed to determine substantive eligibility and case acceptance. Branch office staff members conduct follow-up calls with new applicants, after they have been screened for eligibility by the *AppLine*.

The location of the *AppLine* situated within the Tulsa office appears to interfere with the day-to-day management and operation of the *AppLine* unit. The unit does not have a designated or segregated work area; instead staff are dispersed throughout the office and intermingled with other staff. Operations between the Tulsa office and *AppLine* are not collaborative, cohesive or well-coordinated. Coordination is hindered by lingering resistance to use of a centralized intake model. For the most part, the managing attorneys and staff in branch offices are not supportive of the *AppLine*. Some staff attorneys are severely critical of the quality of the information taken down by the initial screeners. Several conveyed the opinion that insufficient or inaccurate information is supplied by the *AppLine* when referrals are made. Others opined that the *AppLine* screeners needed more training. The PQV team's independent review of applications did not support the basis for these concerns. However, in recent years, *AppLine* training has been limited to providing basic, step-by-step instructions on use of the client database used at *LASO* and is not being provided on a regular basis. It appears that *LASO* does not provide substantive law training to the *AppLine* unit. Best practices for intake and advice units call for regular, periodic substantive law training provided with the input of the firm's legal experts.

¹⁵ For purposes of discussion of intake, the term "branch offices" refer to both law offices and satellite offices.

The system is designed for *AppLine* to record limited information only. The disconnect appears to be centered on the attorneys' desire for more complete information concerning the applicant's legal problem at the time of referral. In general, all new *AppLine* files contain only one to two lines regarding the legal problem. The current system, as designed, constrains the *AppLine* staff from fully developing the facts of each application. In the past, the unit relied on scripts to aid them in developing the information obtained in determining the applicant's legal problem. These scripts were imbedded as a series of shortcuts in *PRIME*, providing a series of questions and scripted answers and advice. The firm ceased using the shortcuts because the local office managing attorneys were not satisfied with the quality of the intakes and notes contained therein that resulted from the shortcuts. Some branch office support staff reported that they still use the shortcuts for walk-ins.

LASO has developed the *LASO Intake Manual* containing some written guidance on the procedures for conducting intake. The *Manual* addresses eligibility screening, conflict of interest, issue spotting, level of service and other procedures relevant to the intake process, including creating records in *PRIME*. The *Manual* was revised in March 2013, immediately prior to the PQV. The *Manual* does not specifically give guidance on case acceptance and referral criteria other than a description of the tier system currently used and described in Finding 6, below. For instance, the *Manual* does not include any scripts for screening questions in specific substantive areas.

There also appear to be delays in the transfer and pick-up of cases to the branch offices. There were reports that a number of new applications languished for several weeks and sometimes for significant periods of time.¹⁶ *LASO*'s general practice is to notify applicants of case acceptance by letter. The policy is that non-emergencies are notified within 10 business days and emergencies within 3 days. Support staff in the branch office may call the applicant if there is a court date or other urgent factor. Best practices employed by many programs nationally use much shorter time frames with emergencies being handled immediately and non-emergencies within 2-3 business days. Some of the delays in informing clients of case acceptance are due to the paucity of factual information contained in the applications. This forces branch office staff to obtain the requisite information for case review, often requiring applicants to tell their story more than once. This second contact by the branch office could prolong decisions on case acceptance up to ten days or more. Best practices for centralized, coordinated intake programs limit the number of contacts and interviews with an applicant and case acceptance is communicated to applicants within their first contact with the firm (for declinations) or as close to the initial application as reasonably possible, usually within 3 days to a week.

The general consensus among staff is that the intake system as it is currently structured, does not work. *LASO* does not have a formal mechanism in place to evaluate the effectiveness of its intake system in a comprehensive manner as it relates to overall firm needs and the needs of applicants. *LASO* does not have a staff work group devoted to intake. It does not assess the outcomes or effectiveness of its intake procedures or the *AppLine*. Client satisfaction surveys are not used to follow services provided by the *AppLine*. Surveys had been used in the past under the prior configuration of the *AppLine*, but this practice was discontinued in the new design. All of these strategies would yield tremendous awareness about the strengths and challenges of the current intake system.

RECOMMENDATIONS:

II.1.5.1 To the extent resources become available, LASO should upgrade the phone system firm-wide. It should also prioritize upgrades to the VOIP system at the AppLine to allow IVR for automatic callbacks and outgoing messaging indicating the estimated wait time for callers on hold in each queue.

¹⁶ Records generated by *LASO* for 2011 and 2012 comparing the number of days between the "eligibility" date in the *AppLine* and "case open" date in the branch offices revealed a range from "0" days up to 408 days.

Should online intake be implemented, LASO can add this option to the outgoing message for callers waiting in queue. This will reduce hold times and add efficiencies overall. LASO should let staff know that planning to upgrade technology is underway, and should reveal the details of those plans as they emerge, including consideration of Internet based phones.

II.1.5.2 LASO should record outgoing messages to play for calls while holding in queue to share information about the firm's priorities, eligibility screening, online resources, the firm website, and other helpful information to improve the caller experience of holding and to direct callers with problems not within the firm's priorities or case acceptance criteria to other resources.

II.1.5.3. To the extent resources are available, the AppLine unit should be consolidated in a space of its own, such as a different floor in the Tulsa office building.

II.1.5.4. More complete factual information should be obtained at the point of intake to minimize contacts from the branch office to ascertain the legal problem and presenting facts.*

II.1.5.5. LASO should re-integrate an advice component into the AppLine for legal problems that would not be accepted for extended representation by the branch offices. The AppLine could also advise callers on matters to be referred to a branch office to help the client prepare for the next level of assistance or, for example, to ensure the client's rights are preserved.

II.1.5.6. LASO should consider moving to a staffing model of part-time contract attorneys, law students, and/or paralegals to provide advice under the direct supervision of the AppLine managing attorney. It should maintain its core staff of screeners to support the efficiency at the frontline.

II.1.5.7. The AppLine managing attorney should be included in major management decisions that either relate to intake or have an impact on AppLine operations. She should also have input on strategic planning and provide guidance on how it relates to or impacts the AppLine.*

II.1.5.8. The AppLine managing attorney should provide the executive director a quarterly report on that unit's successes, productivity, opportunities and projections. These could be shared with the board.*

II.1.5.9. LASO should consider integrating online intake to enhance access to the firm. Nationally, in doing so, other programs are finding up to 30% of their intake has shifted to online applications.

II.1.5.10. LASO should develop a projected training plan for the AppLine involving the substantive law experts in its branch offices.*

II.1.5.11. LASO should develop a firm-wide intake work group convening AppLine staff, representation by some members of the executive management team, some managing attorneys, and other LASO staff interested and/or involved in intake, including representation by some branch office support staff who conduct screening. As part of its analysis it should study other legal services programs with advanced, high performing intake and telephone delivery units with similar structures. The AppLine and the intake work group should consider changing the unit's name to correlate better with its new, future identity. The first step for the intake committee and the AppLine staff is to re-define its mission and develop core values and a vision statement.*

II.1.5.12. LASO should give priority attention to the significance of its AppLine as it impacts operations firm-wide and quality client service. Specifically, the AppLine, the intake committee, and the executive leadership team should maximize and balance the following three goals: 1) providing*

access to the intake system for as many potential clients throughout the program area as practicable; 2) attaining as high a level of service for the client as practicable at the intake level; and 3) freeing advocates from as many tasks and simple services as possible so they can do more systemic and impact litigation as well as gain optimal results through extended and complex litigation.

II.1.5.13. The AppLine should adopt a client satisfaction survey to assess the outcomes and value of its services. Client surveys for AppLine services can be added to the website and at the end of the online intake application, should online intake be implemented. If possible, client surveys should be tied to the AppLine team members who conduct the screening for use in staff evaluations and performance management.

Finding 6: The system for referral of intake to branch offices for case acceptance and legal assistance is cumbersome and confusing to staff.

All branch offices use a local and toll-free number, in addition to the one toll-free number for the AppLine. Otherwise, intake procedures in the branch offices lack consistency. The branch offices handle walk-ins and also engage in a secondary screening and conflicts check on the files received from the AppLine. In the branch offices, receptionists, secretaries and/or volunteers process the applications forwarded by the AppLine. They review the new applications, conduct further screening on the legal problem, and triage the matter to be sent to the attorneys for immediate handling and further review of the need for extended representation. Managing attorneys oversee intake in the branch offices through the weekly case staffing meetings where attorneys make case acceptance decisions and determine the level of service to be provided. Many attorneys were behind in their callbacks to clients for this purpose. Some offices, such as Tulsa and Oklahoma City, limit the number of applications it will accept as transfers from the AppLine based on a pre-determined capacity. When this occurs, the branch office will advise the AppLine by email not to transfer new applications excepting urgent matters or certain legal problems.

The quality of intake for applicants and clients is negatively impacted by a high volume of declined or rejected applications by the branch offices; delayed decisions on case acceptance; and a general lack of clarity about the cases actually handled by the firm. LASO reports that by using “eligibility codes,” the AppLine can track calls that it rejected because the legal issue was not a priority; and, can also track how the application was disposed of by the law office. A review of the case data generated from PRIME for 2012 and 2013 indicate an extraordinarily high percentage of applications transferred by the AppLine to local offices were rejected, often with no reason given. For example, in 2012, one office did not state a reason for closing 58 of 608 cases closed¹⁷; another office gave no reason for closing 87 of 528 cases; and, a third office closed 964 cases with no reason given for 98. Additionally, many eligible applications transferred by AppLine were closed with “no reason listed on eligibility.” Comparable data was also reported for 2013. The data revealed that a significant number of eligible applications referred to the branch offices did not result in client records being generated. It appears that there is no consistent, firm-wide policy regarding how to handle rejection of applicants and cases. The case data did, however, demonstrate a high percentage of counsel and advice provided by the branch offices. And, few cases sent from the AppLine were later rejected in the branch offices due to conflict of interest.

As an element of restructuring the intake system, each branch office was permitted to elect the criteria for case acceptance that would be applied to applications referred to that office. This opportunity yielded a patchwork of case acceptance interpretations and usages that are often confusing to staff and not

¹⁷ From its interviews and review of the data submitted by LASO, the PQV team could not determine the posture of an application at the stage in the intake process that the terms “rejected” and “closed” were used to describe the status of the application. It is unclear whether cases are accepted by the AppLine prior to referral to the law offices.

client-friendly. Case acceptance criteria is articulated in a two tier system developed by the branch office managing attorneys based on each branch's preference for seeing all applications (Tier 1) or for seeing only applications related to the priorities (Tier 2). Tier 1 referrals are all applications that meet eligibility and service area requirements. Tier 2 applications are limited to those problems enumerated by a "Master List of Shortcuts." For example, a law office classifying wage claims as Tier 1 would expect referral of a case involving a wage claim, while an office with a Tier 2 classification would expect *AppLine* to "(r)efer initial claim to Department of Labor. If seeking to collect after having been through Department of Labor, send through. Review for help collecting judgment (pro bono?)." Many staff reported not fully understanding the tier system. The tier system is not an effective referral mechanism. Because the Tiers are not highly refined to correlate to the cases that could be accepted for extended service, branch office staff must re-screen new applications and, many applications are subsequently reviewed again at weekly staffing meetings where advocates often know the case will likely not be accepted. This results in a high volume of cases being rejected while the applicant waits to hear back from the firm.

The multiplicity of case acceptance criteria exacerbates the inefficiency of the *AppLine* system. In developing this "cafeteria style" system, it does not appear that adequate training was afforded to the *AppLine* staff by each of the branch offices to convey more fully, the scope of their expectations from *AppLine* screening.

RECOMMENDATIONS:

II.1.6.1.* LASO should reassess the tier system and make appropriate adjustments to eliminate confusion in interpreting and applying standards for the AppLine referral of eligible applications to the branch offices; and provide appropriate training for implementation.

II.1.6.2.* Working with the managing attorneys of each office and the executive management team, LASO should draft a manual that would govern case acceptance and rejection. The newly refined protocols should delineate the process of transferring new applications and how they will be handled by the other branches or units. One goal of the new manual would be to significantly reduce the time branch office staff and advocates spend on secondary, follow-up screening and also reduce the high volume of applications rejected by branch offices. The manual should specify the precise types of cases likely to receive extended service or brief service by branch advocates, as well as the specific cases to be referred for PAI and to clinics. A variety of models are posted for review at www.lri.lsc.gov and www.lnsnap.org. LSC's Intake Focus Group can be a resource to LASO as it addresses the recommendations in Performance Area 2 of this Report.

Criteria 2 and 3. Engagement with, and access and utilization by the low-income population.

Office Staffing & Locations -

Finding 7: LASO strives to ensure that offices and staffing are accessible to clients and offer special accommodations, including language, when needed.

LASO offices are located throughout Oklahoma in order to make services available on a local level. Staff members expressed and demonstrated a deep regard and respect for clients. Bi-lingual, Spanish speaking staff is available in some offices and the firm uses *Language Line* for other clients with limited English proficiencies (LEP). Several offices have posters addressing the availability of services for LEP and the hearing impaired. However, some of the offices do not have adequate exterior signage to inform the public of the presence of the office at the location. Some staff members go to client homes if

the client is not able to come to the office. Other advocates are embedded with organizations serving the client population, such as the *Women in Recovery Project* at Family and Children's Services in Tulsa, the Variety Care Health Center in Oklahoma City and homeless shelters in Tulsa and Oklahoma City. Advocates travel to different client locations as required by various grants.

The PQV team noted that cultural competency training has not been provided. The firm has not yet hired Asian and Vietnamese staff in the Oklahoma City office, despite the growing population located in close proximity to the office. The Stillwell satellite office is located in proximity to an Indian reservation and most of its clients are Native American. The legal secretary in that office is Native American.

Finding 8: LASO uses technology to provide access to its resources for clients, volunteers and the general public.

In an effort to provide greater access to the low-income population in the service area, *LASO* currently maintains three separate websites: one for clients, one for legal aid advocates and *pro bono* attorneys, and the other is the firm website. As described in the 2013 Technology Plan, the firm and statewide sites (www.legalaidok.org and www.oklaw.org) provide general information about office locations, general legal information and *pro se* forms, which allow clients to better access legal aid services and resources. Information is published in both English and Spanish. Some information is available in Russian and Vietnamese. With the help of volunteer lawyers, more content is being translated. *LASO* posts links to relevant content on other websites. In addition to the general legal problem areas of family, including domestic violence, consumer, public benefits, housing, seniors, disability, health, individual rights, life planning, and work-related issues, disaster relief information has also been added and linked to the national legal services site. New problem areas include: taxes, relationship abuse and domestic violence, expungement, immigration, farm worker, veterans and military law. *LASO* posts content to the advocate website (www.probono.net/ok) for both *pro bono* lawyers and *LASO* advocates with practice materials, HotDocs templates, legal forms, research information and links, recorded video of training events, calendar of training information, *pro bono* opportunities, news and other *pro bono* related information. *LASO* reported that there are plans to merge the firm's three websites into one. The traffic on the sites is monitored to see how many potential clients are accessing it and how many *pro bono* attorneys are using the *pro bono* site.

Outreach –

Finding 9: LASO is strategically exploring outreach to targeted populations.

LASO provides very little outreach to communities other than the elderly at senior centers, along with the homeless and domestic abuse victims at corresponding shelters through the new embedded attorney projects mentioned in Finding 7, above. *LASO* has adopted a Limited English Proficiency policy, however, there is no outreach directed to LEP populations. Despite the increasing diversity of the general population in Oklahoma, the client population served by *LASO* is disproportionately Caucasian compared to the Oklahoma poverty population. In 2012, 66.4% of cases were closed for clients that self-identified as "White-Not of Hispanic Origin" and the percentage of the poverty population reported "White alone" is 58.05%. The firm also reports having very little success with outreach on foreclosure work. They are exploring new strategies to communicate their availability to do this work, including through the courts.

RECOMMENDATIONS:

II.2.8.1. LASO should put up adequate signage for all offices.

II.2.9.1. LASO should explore new opportunities to engage emerging client populations within the service area, including those challenged by limited English proficiency.

PERFORMANCE AREA THREE. Effectiveness of legal representation and other firm activities intended to benefit the low-income population in the service area.

Criterion 1. Legal representation.

Systems and approaches to ensure effective legal representation -

Finding 10: LASO has committed to expanding its capacity to provide a full range of services and engage in more strategic and impactful advocacy.

Within the past year, *LASO* has undertaken a number of initiatives to increase its legal work capacity. The firm has created advocacy teams that meet regularly and share information on listservs addressing legal issues in the areas of family, housing, consumer, and public entitlements. It has also created a director of advocacy position whose goal is to develop and implement a broad based strategy to combat underlying causes of poverty in Oklahoma. *LASO* expanded training opportunities for advocates by sending them to national trainings sponsored by organizations such as *Management Information Exchange* (MIE), *National Legal Aid & Defender Association* (NLADA), *National Consumer Law Center* (NCLC) and *National Organization of Social Security Claimants' Representatives* (NOSSCR); and, by bringing an experienced subject matter expert to *LASO* to provide training.

The firm is also seeking new grants to support services. *LASO* is currently developing a new advocacy manual to update and augment the current one that focuses more on regulatory compliance. A team consisting of the executive director, assistant deputy director, and director of advocacy have embarked upon a project to meet with every firm advocate to assess their work and develop individual development plans. This process has fostered greater communication between advocates and firm leadership, along with an awareness of the training and other support needs that must be met to ensure high quality advocacy. For the first time, advocates now have online access to Westlaw. The PQV team noted that training for the administrative support staff is not as available as for advocacy staff. The ratio of attorneys to administrative support staff varies throughout the firm.

Finding 11: LASO is reorganizing and developing a new system for the management and supervision of its legal work.

The structure for management and supervision of legal work at *LASO* is in transition. *LASO*'s director of advocacy, a new position created this year, shares responsibility to cultivate and manage the legal work of the firm with the assistant deputy director who supervises the managing attorneys. Formerly, a system of local management by the office managing attorney created a network of independent but loosely confederated offices. Along with preserving the role of office managing attorneys, the new structure includes a system of firm-wide "advocacy teams," comprised of advocate staff from offices throughout *LASO* that concentrate their work in one of four substantive areas of the practice. These advocacy teams focus on domestic relations, housing, consumer and public benefits issues. The PQV team was impressed with the choices made at *LASO* in the selection of its new director of advocacy and the leadership for the advocacy teams.

Not all attorneys are members of advocacy teams, consequently, there appears to be a fair amount of confusion throughout the firm about the function of the advocacy teams and the criteria for selection of participants on the teams. The goals and objectives of the advocacy teams are in varying degrees of

development and are not fully defined as yet. Some staff attorneys were not clear about lines of reporting and supervision under this new structure. The role of the director of advocacy has not been fully articulated in relation to legal work supervision. However, the advocacy team leader functions are overseen by the director of advocacy. This lack of clarity cannot be sustained for very long because it is a source of great anxiety and is detrimental to productivity.

LASO employs a variety of strategies to supervise the legal work of the firm at the local level, although in some instances the strategies have not been sufficient to promote high quality legal work. Managing attorneys provide supervision through weekly staffing meetings in their respective offices; conduct open case reviews (ranging from quarterly to yearly); perform reviews of CMS case lists; and, promote open door policies. However, at the time of case closings, files are reviewed, if at all, for compliance without assessing the quality of the actual legal work performed. In addition, the initial case acceptance decision of whether to provide legal assistance or decline an intake is sometimes left to the discretion of the attorney reviewing the intake referral and not subject to any further review. There is limited review of case strategy decisions and of written work produced. There does not appear to be a significant practice of co-counseling cases with more experienced advocates or other strategies for reviewing advocacy skills. Orientation for new attorneys varies among offices. The managing attorneys are currently supervised by the new assistant deputy director who has not yet formulated supervision standards.

Quality and quantity of legal work –

Finding 12: *LASO* has a dedicated and committed staff that provides access to the justice system in traditional poverty law areas. However, *LASO*'s legal work generally is routine in nature and lacks strategic direction.

LASO has enjoyed the retention of many of its attorneys and paralegals over a significant number of years. The commitment of staff to the mission of providing legal assistance to the client eligible community permeated the interviews and staff responses to questions posed by the PQV team.

Close to 40% of *LASO*'s closed cases are in the area of family law with the vast majority of its extended work being made up of family law cases. Judges interviewed by the team spoke favorably of advocates' work but, again, their observations were generally limited to the firm's work in family law. There is extremely limited federal court and appellate work. The writing samples submitted to LSC depicted predominantly routine cases with legal work of average quality. The firm appears to lack the culture and skill set to engage in impactful advocacy. *LASO* has not taken advantage of opportunities to significantly benefit the client community, e.g., to address the denial of filing fee waivers or *in forma pauperis*. The director of advocacy is attempting to rectify this limitation and has identified several issues to be addressed.

Providing legal assistance on issues of emerging legal need would afford advocates the opportunity to explore creative new legal strategies for litigating the issues and addressing challenges to client access to justice. *LASO* has not analyzed its CMS data to evaluate case type trends, outcomes achieved for clients, types and reasons for denial of assistance, and the like. As described above in Finding 6, statistical data on the number of eligible referrals to the law offices reveals that a substantially high percentage of these referrals were declined legal assistance without a documented reason. A variety of explanations have been offered for this situation, including inadequacy or inaccuracy of the information provided by *AppLine* to make an informed decision about the level of legal assistance to be provided.

Finding 13: LASO has experienced a precipitous drop in its closed LSC case statistics.

In 2010, with a staff of 61 attorneys and 13 paralegals, *LASO* closed 13,157 cases. In 2011, with 59 attorneys and 11 paralegals, only 7,275 cases were closed, yielding a 44.7% drop in one year. *LASO* largely attributes this to the transitions in *LASO*'s intake system. Following the launch of *AppLine*, the firm experienced this significant drop in closed cases because of inefficiencies in the design of the intake system. Since its reorganization, *LASO* has seen improvement, but performance is still hindered due to advocates spending a considerable amount of time processing initial intakes and providing simple advice that could be disposed of in a more efficient way at the *AppLine* level. The number of closed cases increased by 23.6% in 2012 when *LASO*, with a staff of 56 attorneys and 16 paralegals, closed a total of 8,998 cases. However, this level of performance is still below the median and average for LSC grantees nationally. In 2012, *LASO* closed 8,894 basic field cases at the rate of 185 cases per 10,000 poor persons, while the national median is 245 cases and national average is 228. Similarly, *LASO* closed 43 extended cases per 10,000 poor persons, compared to the national median of 57 and national average of 52; and, closed 24 contested closed cases per 10,000 poor persons compared to the national median of 28 and national average of 29 cases.

Finding 14: LASO has introduced new projects to address targeted legal needs.

LASO has developed a number of special programs intended to address specific issues associated with compelling and emerging legal needs including its medical legal partnerships, homeless alliance embedded attorney, battered women's shelter embedded attorney, HIV/AIDS advocacy, and most recently its statewide foreclosure project. These efforts afford clients increased access and specialized expertise in addressing their unique problems. The foreclosure project, which just commenced this year, will require extensive training of staff and outreach to the community to fulfill its mission.

RECOMMENDATIONS:

III.1.10.1. *The firm should continue its efforts to enhance the effectiveness and impact of its advocacy through its training and supervisory efforts.*

III.1.11.1.* *Supervision policies should be clear, uniform and strengthened throughout the firm with an additional eye towards meeting the firms enhanced advocacy goals.*

III.1.12.1.* *LASO should determine the reasons for the high percentage of eligible referrals to the branch offices that do not result in delivery of some level of legal assistance and develop alternatives to avoid this outcome.*

Migrant Farmworker Legal Services

Finding 15: LASO has failed to identify the needs of the farmworker population in Oklahoma and is thus unable to take effective steps to target resources to address those needs.

LASO receives a grant of \$57,738 from LSC for representation of the migrant farmworker population in Oklahoma. *LASO* lacks basic information about the size and location of that population and has not dedicated any full-time or part-time staff to identifying the needs of this population. Correspondingly, *LASO* performs no outreach designed to reach the farmworker population in the state. Within the six months preceding the PQV, *LASO* has made modest efforts to speak with

relevant service providers regarding the location and size of the migrant population.¹⁸ *LASO* lacks substantial knowledge of the crops that utilize farmworker labor. The staff believes the number of migrant farmworkers has decreased in the last decade as production of the cotton crop has become more mechanized. However, *LASO* does not have information about where the current farmworker population lives or works, although it acknowledges the continued existence of Oklahoma based crop productions that rely heavily on migrant workers, such as watermelons, strawberries, etc. They were unaware of the number of H-2A and H-2B forestry workers certified for work in Oklahoma. That information is publicly available on the U.S. Department of Labor website. In addition, the location of housing where H-2A workers reside is publicly available.

LASO has not initiated efforts to remain engaged in coordinated farmworker advocacy. For example, the staff has not engaged with other farmworker advocates nationally. *LASO* is not listed in the farmworker directory; does not participate in the national listservs and has not attended the national farmworker conference in recent memory.

Finding 16: *LASO*'s "migrant" caseload is not appropriately characterized as migrant legal work.

In 2012, *LASO* closed a total of 14 migrant cases at the rate of 21 closed cases per 10,000 poor persons, which matched the national median of 21 cases, but fell below the national average of 36 cases. The prior year it closed 42 migrant cases at the rate of 62 closed cases per 10,000 poor persons which exceeded both the national median of 33 cases and national average of 40 cases. The number of extended closed cases also exceeded both the national median and national average. Only in 2012 did the number of closed contested cases per 10,000 poor persons fall below the national median and national average. Despite these impressive comparisons, all of the closed cases involved divorces and other cases unrelated to the client's status as a farmworker. For example, in 2012, 12 of the 14 cases were family cases including 10 divorces, one custody and one paternity case. The remaining two cases were education and "other miscellaneous." Similarly, in 2011, 34 of the 42 closed cases were family cases.

More concerning, it appears that some of the individuals whose cases were coded as migrant cases were not farmworkers. Because *LASO* has failed to identify the location of farmworkers within the state, they have not been effective in providing legal representation to that population. *LASO* staff conceded that they are currently making no substantial efforts to represent the farmworker community and indicated that another LSC funded program, *Texas RioGrande Legal Aid (TRLA)*, has represented farmworkers who work in Texas as well as Oklahoma in recent years. An example of this is a significant case filed by *TRLA* in 2012 in federal court in Oklahoma on behalf of peach workers. *LASO* staff did not co-counsel that case.

RECOMMENDATIONS:

III.1.15.1.* LASO should perform a comprehensive needs assessment of the farmworker population in Oklahoma, including an analysis of the crop production that utilizes farmworkers, the timing and location of farmworkers' presence in the state, and the major legal issues affecting those workers. This assessment would likely involve substantial outreach during at least the summer months. Because LASO does not have staff with skills and experience in conducting such an assessment, it is recommended that LASO contract with an experienced migrant advocate to conduct the assessment.

¹⁸ *LASO* was required to investigate the status of migrant farmworkers and farming in Oklahoma pursuant to a 2013 Special Grant Condition associated with its award from LSC. The response was marginally probative.

III.1.15.2.* After conducting a comprehensive needs assessment of the farmworker population in the state, LASO should designate staff that will implement a plan to engage with the farmworker community.

III.1.15.3. LASO should consider partnering with another experienced migrant advocacy group to develop priorities for legal work for the farmworker population and craft a meaningful advocacy docket.

Criterion 2. Private attorney involvement.

Finding 17: The LASO PAI plan describes models used to involve private attorneys, and the firm's work reflects its plan.

LASO annually develops and publicizes a comprehensive plan for its private attorney involvement in the delivery of legal services to clients. The PAI plan describes the delivery model, including *LASO*'s goals, volunteer recruitment strategies and opportunities for *pro bono* and other involvement. The plan is circulated to state and local bar associations for comment prior to implementation. *LASO*'s vast service area includes two large cities, Oklahoma City and Tulsa, each with significant numbers of lawyers and large law firms; and very rural, remote and sparsely populated counties with only a handful of lawyers. Like other legal services programs serving similar areas, *LASO* must be creative, and must provide varied opportunities for private attorney involvement. It appears to the PQV team that this is happening in many places throughout Oklahoma. *LASO* reports that there are 13,000 licensed attorneys in Oklahoma, of whom 214 accepted case referrals in 2012 including 212 *pro bono* referrals.

Cases are referred to the *pro bono* coordinator after they have been screened for eligibility by *AppLine* intake workers and for merit by substantive law staff, and following the case acceptance meeting. Cases are not referred directly by intake staff. Cases ultimately referred to *pro bono* are also accepted at the various clinics sponsored by *LASO*. Staff reports no significant problems with follow up and oversight of the referred cases. *LASO* obtains the information needed for case oversight directly from the attorney or from court records. PAI cases are followed in the case management system. In 2012, *LASO* closed a total of 924 PAI cases, which was 100 cases more than in 2011, although fewer than in 2008-2010. Also in 2012, the firm closed more extended service cases and had more contested court decisions. Cases were closed at the rate of 19 cases per 10,000 poor persons, almost equivalent to the national median of 22 cases, but below the national average of 29 cases. In 2012, *LASO* also matched the national median of 8 extended PAI closed cases per 10,000 poor persons; and having closed 4 PAI cases per 10,000 poor persons, exceeded the national median of 3 contested closed cases.

Finding 18: *LASO* provides private attorneys with a variety of *pro bono* opportunities to serve clients, although Oklahoma does not have some of the institutional support for *pro bono* that exists in many other states.

Volunteer private attorneys handle individual cases, participate in *pro se* clinics, conduct community legal education, and assist in development of community education materials. At least three offices benefit from the services of retired lawyers, and the firm is welcoming to and supportive of new lawyers who volunteer in order to gain experience. Volunteer attorneys participate in other services, described more fully in Finding 20, below. Staffing for PAI appears to be sufficient, as does firm leadership support for PAI. *LASO pro bono* efforts are led by the coordinators in Tulsa and Oklahoma City, who share this responsibility statewide. The coordinator in Tulsa has previous experience as an in-house corporate counsel, as an associate in a large law firm, and as a clerk to a federal judge. The Oklahoma City coordinator at the time of the visit was the recently-appointed managing attorney of the

office, assisted by the volunteer coordinator. The managing attorney has strong connections to the bar, having served on several committees.

In smaller offices, a designated staff person coordinates *pro bono* in addition to other work, under the supervision of the managing attorney and as noted above, in coordination with either the Oklahoma City or the Tulsa coordinator. *LASO* has received recognition from the bar for its *pro bono* work, including the Oklahoma Bar Association (OBA) award for Outstanding *Pro Bono* Service and the *Pro Bono* Corporate Counsel Partnership Award. Several staff members are active in the bar on state and local levels. These activities encourage awareness of the firm's work and promote private bar involvement. *LASO*'s board of directors includes a *pro bono* committee, and the board receives an update on *pro bono* activities at meetings. Examples of *pro bono* projects include: a law firm partnership in which the attorneys represent low-income and senior clients that began with health care and other planning document preparation and has evolved into representation in consumer, tax and domestic violence issues; a law firm working through a medical legal partnership in which volunteer attorneys provide assistance to clients who come to *LASO* from a pediatric clinic; regular legal clinics conducted at multi-service centers, churches, and homeless and victim shelters; and, assistance to clients of *LASO*'s HIV/AIDS project.

Oklahoma does not have a mandatory reporting of *pro bono* or an *emeritus* rule allowing retired or otherwise inactive lawyers to engage in *pro bono* practice for a legal services organization. The OBA past president reports, however, that there is no rule that would prevent inactive lawyers from doing *pro bono* work. There is no Oklahoma Supreme Court Access to Justice Commission, but there is an active OBA Access to Justice Committee that includes judges among its members. The Oklahoma Supreme Court recently received a grant from the ABA to create an Access to Justice Commission.

LASO uses a variety of methods to recruit potential volunteers. For example, *LASO* recruits in collaboration with county bar associations – via the firm's website and www.OKlaw.org, at bar meetings, in journals, through emails to bar members, and with the help of judges. Case summaries are posted on OKLaw.org and on the *LASO* website for prospective volunteers to view and potentially accept. Under a new initiative, volunteer attorneys will be able to use a web-based portal in the *LASO* CMS to select a case, request additional information for a conflict check, and if they accept the case, to record their case activities. *LASO* provides malpractice insurance, training, mentoring, and recognition (in conjunction with the state bar). Staff attorneys may stand in for a volunteer who is unable to make a court appearance.

RECOMMENDATION:

III.2.18.1. LASO is encouraged to continue to provide private attorneys with a range of opportunities to become involved in its work, including enhanced advocacy and legal skills and substantive training for LASO advocates.

Criteria 3 and 4: Other services to and on behalf of the eligible client population.

Finding 19: *LASO* is engaged in various other services and activities to and on behalf of the client eligible population.

Through an agreement with the courts and the bar, volunteer attorneys recruited by *LASO* assist *pro se* litigants in forcible entry and detainer cases. Through this initiative, these cases are specially scheduled, and defendant-tenants are referred to participating private attorneys for assistance. The goal in cases in which the tenant has a Section 8 certificate or other subsidy and no legal defense to the eviction is to negotiate a settlement and thereby avoid a judgment, eviction and consequential loss of the federal housing subsidy. This service model is also being implemented in at least one rural *LASO* office. Co-sponsors for these events include churches, clinics, shelters, minority bar associations and law schools.

LASO is involved in medical legal partnerships in Oklahoma City and in Tulsa that provide legal assistance to patients of local health clinics, using both staff and volunteer attorneys. The firm also has an active law student volunteer program. Law students assist staff attorneys at a Victim Protective Order (VPO) Help Desk at the courthouses in Oklahoma City and Tulsa, through which they represent domestic violence victims in protective order clinics. *LASO* also operates a law student summer program in Tulsa and Oklahoma City, with as many as 15 students per office. In Oklahoma City, which has a growing Vietnamese community, one private attorney volunteer also hosts a Vietnamese language radio show during which he promotes the *LASO* clinics.

LASO has a long history of community outreach and education to service providers and the client community under its Title IIIB Older Americans Act grants, and has begun to offer more such programs to the under-60 population. Several examples include numerous community education events; training of the various service providers' staffs; *pro se* clinics in all 3 offices of the Hugo region; training of local attorneys, especially at the annual "Family Law Montage" where 7 hours of CLE presentations are offered; and, ongoing staff involvement in local bar associations and access committees.

LASO is an active contributor to the statewide website, which contains legal information and resources for the client community. The website includes interactive self-help forms for family, housing, veterans, consumer, and elder law issues. It also posts education videos. *LASO* employs an attorney whose responsibilities include developing content for the website. The website currently offers materials in Spanish, Russian, and Vietnamese. *LASO* also offers an e-newsletter to the community. The degree to which individual offices are engaged in the community varies.

Recommendations:

III.3.19.1. LASO is encouraged to continue to expand the services it provides in addition to direct client representation, such as clinics, pro se assistance and community education.

PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.

Criterion 1. Board governance.

Finding 20: *LASO's* board of directors is very active, dedicated, involved and concerned about extending the firm's effectiveness.

Many of the members of *LASO's* board of directors have been on the board for a long period of time and are very experienced. The board's membership is geographically diverse, reflecting appointments from throughout the state and represents the major constituencies of the client community. The board executes its fiduciary responsibilities, including financial oversight, through appropriate assignments of work to officers and committees, robust meetings and exchange of information with *LASO* management and staff. The board members are very involved in fundraising and have been responsible for raising large sums of money through an annual bar campaign. Board members who cannot attend meetings in person because of the distance would like to have the option of participating by remote access to the meetings. *LASO* has adopted a written job description covering the position of board member that must be acknowledged by each director upon appointment; and, all members make a financial donation to the firm.

The board of directors is actively involved in the fiscal oversight of the firm. The monthly financial statements previously provided to the board oversight committee by the 10th of each month, now are usually provided later. The financial expert on the board finance committee is a former state auditor. The finance director and the executive director meet with the oversight committee to review the report. The board finance committee is involved in the hiring of the auditor and the budgeting process. Regarding the budget process, the committee meets with the executive director and chief financial officer (CFO) to review a draft of the proposed budget, make changes, and then take it to the full board for adoption. During the budget year, changes are made to the budget as required due to unforeseen developments. Adjustments in expenditures and efforts at fundraising are initiated to produce a balanced budget by year-end. The cash reserve is used if necessary. The committee and the executive director anticipated the reduction in LSC funds by making budget cuts in certain areas and emphasizing fundraising efforts.

The executive director meets with the client board members before each quarterly meeting to discuss the agenda and answer questions. The board, however, needs to recruit an additional client member in order to be in compliance with LSC regulations.

At the time of the new executive director's recruitment, the board sought candidates from outside the firm to invite new perspectives on managing and achieving robust legal services delivery. When the selection was made, the board stipulated two immediate goals: a significant increase in funding for the firm and increases in staff salaries. The board's annual review of the executive director's performance is now due.

RECOMMENDATION:

IV.1.20.1. When upgrading and/or expanding its technology, LASO should add videoconferencing capacity for board meetings.

Criteria 2 and 3. Leadership, Management and Administration.

Leadership –

Finding 21: *LASO* has cultivated effective new leadership that is recognized for promoting excellence, innovation and achievement, although the vision and mission are not entirely clear.

LASO hired a new executive director in 2012 who is experienced in leading and managing the delivery of civil legal services to low-income people. The new executive director of *LASO* has already demonstrated acumen in organizational management, legal services delivery and networking with other stakeholders. He set an immediate goal of meeting with every member of staff when he joined the firm. He has embarked on a mission to elevate the level of legal services delivery throughout the firm, including both the quality of legal work and the resources to support staff in accomplishing the work. The executive director has expressed the desire to cultivate *LASO* so that its advocates can creatively produce legal work that significantly benefits the client community. Ideally, the staff he envisions will manifest both energy and passion for the work. Staff members have expressed a high regard for his contributions and overall performance. His approach is community based, holistic and innovative.

From interviews with staff, it appears that the board and executive director's vision for the firm has not been clearly or sufficiently articulated and is understood differently throughout the firm. In general it is understood to be "to raise money and provide services to as many people as possible." The misunderstanding stems from a lack of adequate explanation of how changes that are occurring correlate

with the expected outcomes to be derived. More information about implementation of new strategies would help to abate the inconsistency in awareness about the direction of the firm that currently exists.

In addition to the executive director, the leadership at *LASO* includes the assistant deputy director, CFO, director of advocacy, director of operations, and firm administrator. Each of these individuals is competent and experienced to undertake the duties of his or her respective position. They all report to the executive director and serve as a consultative group for him. The executive management team (EMT) has recently been reconfigured to ensure that the vision for the firm is appropriately advanced and executed. The team meets on an as-needed basis although the executive director plans to schedule regular meetings in the future. The EMT does not have a workplan for 2013.

Management and Administration -

Finding 22: Efforts are underway to improve the management structure at *LASO* and some confusion exists among staff regarding firm structure and management organization.

The current organizational structure at *LASO* includes several middle manager positions. These include: managing attorneys for each of the firm's ten law offices; the deputy director of operations; the director of mission advancement; the IT manager (vacant); *AppLine* managing attorney; and, certain staff of the development team. The development team reports directly to the executive director. The director of mission advancement was recruited contemporaneously with the executive director, who is her husband. Her role includes promoting *LASO*'s mission through public education and public relations, both of which enhance opportunities for resource development. She reports directly to the assistant deputy director.

Managing attorneys are responsible for the overall maintenance and administration of law offices and associated satellite offices, case acceptance, legal work management, community engagement and other related functions. Most managing attorneys have received training as legal work supervisors and/or middle managers, particularly by attending nationally-recognized training sponsored by *MIE*. In the past, managing attorneys were consulted in the course of executive decision-making. Under the current structure, that input has not been sought. They are supervised by the assistant deputy director and meet regularly via conference call led by her on all months that the board of directors does not meet; and, quarterly, in-person prior to board meetings. Meetings tend to focus on administrative matters. In conjunction with meeting all staff, the executive director is also conducting an evaluation of each office and managing attorney. Workplans are also being completed at that time.

During the past year, several changes in the management structure have occurred, in considerable part because of new directions envisioned by the executive director. The *AppLine* was restructured, as outlined in Finding 5, above. And, four substantive advocacy teams were developed that are led by statewide coordinators.¹⁹ However, confusion stems from the reality that the management structure is currently changing and these changes are poorly explained and communicated. Management roles have not been clearly defined and articulated to all staff. Some new positions have been introduced, staff members have been reassigned and job duties have been revised. Staff continues to feel that they have access to the executive director but are unclear as to who on the management team is responsible for what. Some documentation from *LASO* suggests a high number of staff designated as administration. The number includes five case handler staff members who are categorized administration because they oversee a project or program. There are actually 16 staff members that are designated as management.

¹⁹ See, Finding 12, above.

The firm continues to have some issues stemming from the merger.²⁰ Operations and service delivery continue to be “siloe” and protected based on the local office’s relationship to the former organizations. In the past, some staff members report, *LASO* operated like a collection of separate offices. However, some progress is being made to overcome this problem and it appears that staff feels a part of a firm to a greater extent than before. Several factors are contributing to the change: appointment of the new executive director, the establishment of firm-wide advocacy teams, and the existence of a centralized intake system.

LASO has adopted a disaster plan, among many of its policies and procedures. The disaster plan does not provide for a method to account for the whereabouts and welfare of staff members; and, for a place to gather in the aftermath of a disaster, such as the devastating tornados in May of this year.

Finding 23: The technology infrastructure for *LASO* is inadequate to support the goals of the firm; and sub-par when compared to best practices and the needs of a current legal aid law firm.

The position of director of information technology is currently vacant. Staff members were uniformly dissatisfied with their ability to use the firm’s network. The PQV team heard a consistent theme running through its interviews with staff regarding the slow speed and unreliability of *LASO*’s computer system, due in significant part to two main issues: *PRIME* CMS and *Citrix*, the wide area network (WAN). *LASO* has a mix of DSL and VPN connections. The staff report that *PRIME* may go down for two days at a time. In fact, it was down for at least two days during the PQV. Internet connections have also been lost. The personal computers assigned to staff are old, and laptops are not available to support outreach. As an example of the negative impact of this situation, one staff attorney stated that he works on documents on his own personal laptop and transfers documents to the *LASO* network via a flash drive so that he can continue to work without relying on the office network. The problem is compounded for *LASO* staff in the rural offices due to the problems they have with connectivity resulting from insufficient bandwidth. Management is well aware of this problem and its detrimental impact on morale and productivity. Not all staff members are aware that management is working toward upgrading the technology infrastructure. At present, due to the vacancy in IT leadership, there is no designated staff member responsible for technology firm-wide. *LASO* has engaged an experienced legal services technology expert as a consultant to review its system and recommend solutions. The technology consultant is knowledgeable about these systems and with developing systems that are not cost-prohibitive, yet will meet the needs of the law firm.

Recommendations:

IV.2.21.1. The executive director should consider having the members of his executive management team develop an annual workplan.

IV.3.22.1. The executive director should follow through with his plan to hold regular executive management team meetings. In addition, at the appropriate time, the EMT meetings should be followed by a conference call including the managing attorneys during which time the proceedings of the management team meeting are shared and responses entertained.

IV.3.22.2.* LASO should clearly define, articulate and communicate executive and middle management roles and duties to all staff.

²⁰ Discussed in the Program Overview section of the Introduction, above.

Criterion 4. Financial administration.²¹

Finding 24: *LASO* appears to have processes and systems in place to address compliance with funder requirements as well as to guide and oversee the day-to-day operations of the firm.

The financial management of *LASO* is the responsibility of the CFO who is a CPA and has held the position since 2002. The Finance Department consists of three accounting assistants, whose functions are specifically delegated to each for various assignments such as: accounts payable, grant reporting for reimbursable contract services, payroll, petty cash accounts, general ledger, bank reconciliations and other duties. Annual audits have been clean and reflected no problems. The CFO has direct access to the executive director, yet needs more time with him, probably on a daily basis, in order to address financial issues and resolve departmental issues as they arise. *LASO* has not updated its Accounting Policy Manual since LSC adopted the 2010 Accounting Guide. *LASO* uses *MIP* accounting software. There is currently no back-up of financial records off-site.

LASO engages in limited practices for projecting its financial position and measuring the appropriateness of its cost allocations. The firm does not do cash flow projections beyond the current year because it feels there are too many unknowns to make it meaningful. Cash reserves on hand are sufficient for 3 to 4 months of operations. The firm may benefit from comparing 990's from similar sized firms in order to see how resource allocations compare. "Deliverables" for each source of funding have not been ascertained and are not monitored as the grant term progresses. The firm is starting to address the idea of assessing each grant to monitor progress on "deliverables" promised. No explicit contingency plans have been made for the LSC sequester and census cut. The firm is assuming other funds will be available when needed as a result of fundraising efforts and budget cuts in certain areas.

RECOMMENDATIONS:

IV.4.24.1.* LASO should update its Accounting Policy Manual in accordance with the 2010 LSC Accounting Guide.

IV.4.24.2. As soon as practicable, LASO should implement a protocol for back-up and safekeeping of all financial records off-site.

IV.4.24.3. LASO should include two out year projections in addition to the current budget year when presenting the budget to the board for adoption. Although the out-year figures can be unreliable and likely to change, this is very helpful for planning and thinking about the future. For example, the board will see when the AG foreclosure assistance funding will expire and recognize that this large time-limited funding source will need to be replaced or there will be a large hole in the budget that will severely affect operations.

Criterion 5. Human resources administration.

Finding 25: *LASO* is pursuing new strategies to address concerns with effectiveness in the administration of human resources.

Human resources administration is among the responsibilities of the director of operations and the deputy director of operations. The PQV team found no significant inadequacies in how they execute their

²¹ This visit was conducted by the Office of Program Performance for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general functions. Assessment of fiscal operations is conducted by other offices at LSC.

respective roles. While some staff members have been with the firm for years, high turnover exists within the firm e.g., all staff members in Lawton except the managing attorney have been in the firm for less than a year.

“Low salaries” is a significant issue that contributes to high turnover and low morale. *LASO* adopted a Compensation Plan effective July 22, 2009. Some staff members are concerned whether they can continue to work for the firm without an additional salary increase. The board and executive director are aware of the issue and are working to address it. A number of staff members have also left the firm during the last year because of the reorganization of the intake system. On the other hand, four paralegal positions that had been left vacant during 2011 were filled in 2012. The orientation and training of newly hired employees is not consistent throughout the firm and needs to be more extensive. *LASO* policies contemplate that individual performance evaluations are conducted each year. Not all such evaluations however, are current. Numerous job descriptions are outdated and do not reflect the current organizational chart or job duties, while some reflect supervision under obsolete positions. The executive director job description does not expressly impose an obligation to help create an integrated statewide delivery system. The strategy employed by the executive director to systematically evaluate offices and staff while also developing workplans is a good way for management to get a handle on the quality of the work and to build toward a system of regular and meaningful evaluations.

RECOMMENDATION:

IV.5.25.1.* LASO needs to make a concerted effort to retain its quality staff through increased salaries and professional development. LASO should review its salaries in comparison to the Public Defender office and strive to implement a competitive salary and benefit.

Criterion 6. Internal Communications.

Finding 26: Although significantly improved over the last year, the level of effective communications at *LASO* is inconsistent.

Communication within *LASO* is supported by technology, including the telephone system, computer network and website; and, by in-person and telephonic meetings. Internal communication has improved since the new executive director was hired. Staff feels they are welcome to contact the executive director, members of the management team, and fellow staff members. However, problems exist with regard to an understanding of the role of the management team and the firm structure. In addition, staff does not know “where things are going” and have not been kept abreast of these issues. The fundraising efforts are not clearly understood and misgivings exist. While generally aware of the firm’s new direction, the lack of specific details as to how it will impact individual staffing positions has led to anxiety among some staff, which has the potential to impact service delivery. The former practice of holding annual statewide meetings has not been maintained. Like some other large firms that are the product of mergers, *LASO* is somewhat fragmented instead of comprehensively integrated into a single firm.

RECOMMENDATIONS:

IV.6.26.1. LASO management should expand its communication with staff and, as resources allow, bring all the staff together at some point in the not too distant future to articulate the vision, and engage people, enabling them to feel more like a single law firm.

Criterion 7. General resource development and maintenance.

Finding 27: *LASO* has established a five person resource development team with considerable expertise and experience.

The new position of director of mission advancement is a resource development function that adds new dimensions to the effort and does not duplicate previous tasks and responsibilities. The firm's resource development team has an extensive plan for generating new revenue, is experiencing success meeting the plan goals, and is confident it can sustain its fundraising success. The resource development team is using an economic impact study conducted by the Oklahoma City University to formulate the assumptions that form the basis of their plan; and, they are experiencing results from its use. Receipt of a *cy pres* award is a great accomplishment; and, enabled *LASO* to open a new office in Guymon, Oklahoma earlier this year. Prospects of future revenue from *cy pres* awards could become available to *LASO* for legal services in the near future. Individual *LASO* board members are actively engaged in resource development. There is also a fundraising advisory committee to the board that includes prestigious members of the legal community who are not members of the board.

In response to *LASO* securing some of the new grants, a number of staff expressed concerns that the services being provided by the firm may be directed more by the requirements of the funding source than the needs of the client population. The same question exists as to whether some of the new grants being pursued match the needs of the client community. It was observed that they have not received *Equal Justice Works* or *Skadden* fellowships.

RECOMMENDATION:

IV.7.27.1. As the firm continues to seek additional funding in furtherance of its mission, it should be mindful to communicate the goals of the grants and adherence to the firm's core priority areas to the staff.

Criterion 8. Coherent and comprehensive delivery structure.

This Criterion is covered elsewhere throughout this report.

Criterion 9. Participation in an integrated legal services delivery system

Finding 28: *LASO* plays an integral role in promoting and providing equal access to justice in meeting the civil legal needs of low income clients throughout Oklahoma.

LASO is the sole statewide provider of civil legal services for low-income people throughout Oklahoma. Another LSC grantee, *Oklahoma Indian Legal Services (OILS)*, is the statewide provider of civil legal services for Native Americans on issues related to their status. It also receives a grant from the IRS to provide legal assistance to low-income Oklahomans on the Earned Income Tax Credit Program (EITC). *LASO* collaborates by referral of applicants whose legal needs meet these *OILS'* priorities. In pursuing its mission to provide legal services, *LASO* has also collaborated with state and local bar associations in order to support the organized efforts of the legal community; to provide CLE training in relevant areas of poverty law; to provide opportunities for private attorneys to participate in *pro bono* legal services delivery; and to afford bar members a broader appreciation for the needs of the poor. *LASO* has supported community legal education through outreach activities and through technology by hosting the statewide websites www.oklaw.org for the general public and www.probono.net/ok, for advocates, along with the firm website www.legalaidok.org described in Finding 8, above.

LASO has also collaborated with other service providers to develop holistic services for clients including medical-legal partnerships, embedded attorneys and other collaborations with providers that serve discrete populations such as seniors, the homeless, victims of domestic violence, veterans and victims of HIV/AIDS.

LASO is well regarded throughout the legal and non-profit communities of Oklahoma. Under its new leadership, *LASO* aspires to produce high quality legal assistance that will favorably advance the posture of low-income litigants and communities.